

Learned counsel for the appellant has submitted that the appellant may be allowed one opportunity to lead evidence so that justice may be done to him. Learned counsel for the respondents has submitted that the appellant was negligent and did not lead any

evidence, therefore, he is not entitled for grant of any opportunity.

Considering the over all matter and more particularly, the claim petition, I deem it proper that in the interest of justice one opportunity may be allowed to the appellant to lead his evidence.

In the result, the appeal is partly allowed, the impugned Award dated 11.7.2005 is set aside and the claimant appellant is granted one opportunity to lead evidence. The Tribunal shall thereafter, decide the case afresh.

The parties are directed to appear before the Tribunal on 04.10.2006.

(PREM SHANKER ASOPA) J.

Gopal